

**UNITED STATES DISTRICT COURT**

**Jury demand date:** 8-26-69 (by deft)

4

TITLE OF CASE		ATTORNEYS	
UNITED STATES OF AMERICA vs 20.00 Acres of Land, more or less, situate in Rogers County, State of Oklahoma, and Jean Martin, et al. Tract No. 452M		For plaintiff:  Hubert A. Marlow	
		For defendant: Glenn H. Chappell, W. E. Maddux Chappell & Maddux P. O. Box 349 Nowata, Oklahoma 74048 Thomas A. Landrith, Jr.(Inter. Equip.) 203 Thurston Natl. Bldg. Tulsa, Okla. 74103	

STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 5 mailed 8-1	Clerk	5-26-71	Landrith	5 00	
		5-27-71	C. D. No. 52		5 00
J.S. 6 mailed 8-1-71	Marshal				
Basis of Action: Condemnation of land for Oologah Dam & Reservoir	Docket fee Witness fees				
Action arose at: Tulsa, Oklahoma	Depositions				

DATE	PROCEEDINGS	Date Order or Judgment Noted
7-23-69	Complaint, filed. g	
7-23-69	Declaration of Taking, filed. g	
7-23-69	Notice filed. g	
7-23-69	Motion for order for delivery of possession, filed. g	
7-28-69	Order for delivery of possession, filed. (Luther Bohanon - Judge)b	
8-13-69	Return on service of writ, filed. Served Board of County Commissioners by serving Charles Alton; County Treasurer by serving Loy C. Boyd & County Assessor by serving Felitha Jeanguenat all in Claremore, Okla., on 8-12-69. (Fees: \$18.00)m	
8-14-69	Return on service of writ, filed. Served First National Bank and Trust Co. at Tulsa, Oklahoma on 8-13-69. (\$6.00) ds	
8-19-69	Return on Service of Writ filed. Served International Equip. Leasing Corp., by serving Brooks Gutelius as chairman, at Tulsa, Oklahoma on 8-15-69. h	
8-19-69	Return on Service of Writ filed. Served Emma E. Dobbins at Manitou Springs Colo., on 8-12-69. h	
8-20-69	Answer of defts Mary Benjamin, Glenn H. Chappell, Emma E. Dobbins, Jean Martin & Annie Laurie Winter, filed. m	
8-21-69	Return on service of writs filed. Served Mozell C Hill by serving Houston B. Hill, Atty., and Marcella H. Godfrey, in person, each at Okla. City, on 8-12-69; Served W.V. Pound at Ardmore, Okla. on 8-15-69; Served Louise Pugh at Anadarko, Okla. on 8-12-69; Served M.G. Jenson at Nowata, Okla. on 8-19-69; Served Glenn H. Chappell, Mary Benjamin and Jean Martin at Nowata, Okla. on 8-19-69. h	
8-26-69	Deft. International Equipment Leasing Corp's request for trial by jury, filed. m	
8-26-69	Appearance, Answer and cross-complaint of International Equipment Leasing Corp., filed. m	
8-26-69	Return on Service of writ filed. Served Okla Tax Comm at Okla. City., Okla. on 8-11-69. h	
8-27-69	Disclaimer of State of Okla. ex rel. Okla. Tax Commission, filed. m	
8-6-70	Certificate for service by publication, Tract No. 452M, filed. v	
8-28-70	Certificate of publication and mailing, filed. ds	
9-17-70	Case set for pre-trial Monday 9-28-70 at 9:30 a.m. (LB-J)m	
9-28-70	Pre-trial hearing held. By agreement of parties, case assigned to a Commission & pltf. directed to prepare order appointing Commissioners. (LB-J)m	
10-13-70	Order appointing Commissioners, Morris Bradford-Chairman, William Kendall and Cecil L. Hunt, filed. (LB-J)m (copies mailed Commissioners)	
10-14-70	Case set for trial before Commissioners, 9:30 A.M., 11-3-1970. g	
10-29-70	Pltf's motion for instructions, with brief in support, filed. m	
11-4-70	Objection to order appointing commissioners and brief in support, filed. ds	
11-10-70	Oath of office of commissioners, filed. ds	
3-3-71	Report of Commissioners, filed. Notices mailed g (3-5-71)	
3-5-71	Claim of Commissioners, filed. g	
3-8-71	Order for payment to commissioners, filed. (LB-J)m	
3-9-71	Motion of defts. for enlargement of time in which to file objections to findings of commissioners and brief in support thereof, filed. m	
3-10-71	Order denying motion for enlargement of time to file objections to findings of commissioners (part of above motion). (LB-J)m (copies mailed)	
3-10-71	Objections of govt. to report of commissioners as to working interest with brief in support, filed. m	
3-15-71	Findings and determinations of Commission, filed. g (cpies mailed)g	
3-17-71	Objection of International Equipment Leasing Corp. to report of commissioners, filed. m	
3-17-71	Objections of defts. Lillie Benbow and Ossie Mae Lary to report of	

(continued)

## D. C. 110A Rev. Civil Docket Continuation

DATE	PROCEEDINGS	Date Order or Judgment Noted
	commissioners, filed. m	
3-17-71	Brief of defts. International Equipment Leasing Corp., Lillie Benbow and Ossie Mae Lary in support of objections to report of commissioners, filed. m	
3-22-71	Plaintiff's response to objection of International Equipment Leasing Corp., filed. g	
3-23-71	Plaintiff's response to objections of defendants Lillie Benbow and Ossie Mae Lary to report of commissioners, filed. g	
4-6-71	Case called for hearing on objections of govt. to report of commissioners as to working interest, objection of International Equipment Leasing Corp. to report of commissioners & objections of defts. Lillie Benbow and Ossie Mae Lary to report of commissioners. Court takes all objections under advisement & will enter order. Govt. announces intention of appeal & Court announces it will do everything possible to expedite handling of appeal. (LB-J)m	
4-6-71	Judgment, filed and entered, that objections to report of commissioners filed by govt. & defts. are overruled & report of commissioners is approved; that working interest owners in all 4 tracts recover judgment against USA in sum of \$14,339.00; that overriding royalty interest on all 4 tracts the sum of \$826.00. (LB-J)m (copies mailed)	
4-13-71	Final judgment as to working interest only, filed and entered, that report of commissioners filed 3-3-71 is approved; deficiency ordered deposited in Registry of Court to be disbursed as per order. (LB-J)m	
4-15-71	Final judgment as to overriding royalty interest only, filed and entered. (LB-J)m	
4-22-71	Stipulation as to just compensation, filed. m	
5-10-71	Judgment, filed and entered, as to lessor interest only. (LB-J) ds	
5-26-71	Notice of appeal by International Equipment Leasing Corp., filed. g cpy to USCA & US Atty.	
5-26-71	Bond on appeal (Aetna Casualty & Surety Co.), filed. g	
6-4-71	Notice of cross-appeal by USA, filed. cpy to USCA & Tom Landrith. g	
6-24-71	Application of Internat. Equip. Leasing Corp. for extension of time for transmission of the record, filed. m	
6-28-71	Order extending time for transmitting record on appeal for Inter. Equip. Leasing Corp. to 8-24-71, filed. (LB-J)m (cpy to USCA, Marlow & Landrith.)	
7-1-71	Stipulation for consolidation of appeals, filed. g	
7-9-71	Application of USA, Cross-appellant, for extension of time to 8-24-71 to docket appeal, filed. g	
7-13-71	Order extending time for transmitting record on appeal to 8-24-71, filed. (LB-J)m (copies to USCA & Landrith)m	
7-28-71	Stipulation for consolidation of appeals approved by Court. (LB-J) (Endorsed on stipulation)g	
8-18-71	Transcript of proceedings before Commissioners, filed. (3 vols.)	
8-19-71	Transcript of proceedings before Commissioners, filed (file copy only, in 1 vol.)g	
8-20-71	Appeal record (5 vols.) sent to USCA. g	
6-12-72	Mandate & Opinion of USCA, 10th Circuit, affirming judgment of 4-15-71, filed & spread of record. g (Opinion is in file of 69-c-173).	
6-12-72	Appeal record rec'd from USCA. g	

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